

Resolution No. 2014-08

[CITY COUNCIL MEETING MINUTES APRIL 21, 2014](#)

RESOLUTION NO. 2014-08

A RESOLUTION of the City Council of the City of Lakewood, Washington, waiving competitive bidding requirements of the purchase of specific traffic signal equipment

WHEREAS, following incorporation, the City of Lakewood, following an exhaustive process, which is memorialized in the whereas clauses of Resolution 2007-24, engaged in a waiver of competitive bidding for various traffic signal projects throughout the City; and

WHEREAS, following a process, it is necessary to upgrade and improve those signals and the City has determined that a system compatible with the already-existing infrastructure is appropriate; and

WHEREAS, under the provisions of RCW 39.04.280(2)(a), a municipality electing to waive competitive bidding requirements may do so by resolution. When done by resolution, the factual basis for the exception must be recorded and open to public inspection.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON HEREBY RESOLVES, AS FOLLOWS:

Section 1: The City Council authorizes the City Manager or designee to purchase the list of proprietary/patented signal equipment from the authorized local vendors as allowed by current budget authorizations as identified on the attached Exhibit A and incorporated by reference.

Section 2 Findings. Pursuant to RCW 39.04.280, the City makes the following findings in exempting from competitive bidding those items identified in Section 1 of this Resolution:

1. Upon incorporation of the City of Lakewood in 1996, the City accepted responsibility for traffic signalization throughout the City, which system intended to protect the public health, safety and welfare;
2. In order to assist in traffic signalization and traffic patterns throughout the City, via Resolution 2007-24, the City selected and implemented a new sole source traffic signal control and communication system. The City also completed a "Traffic Signal Deployment Plan" identifying the full system build-out including Intelligent Transportation System (ITS) elements of traffic video surveillance; and,
3. Since the enactment of Resolution 2007-24, the City has fully implemented this signal control system citywide, completed LED display upgrades, deployed improved signal operations (such as flashing yellow arrow operations), and hired and trained staff for full in-house operation and maintenance of the signal system; and,
4. Through the process of implementation of these upgrades, have identified functional requirements of various signal system elements; and,
5. Over the course of approximately six months, staff and the consultant reviewed the existing traffic signal system, assessed needs, compared various available video management systems, issued a publicly advertised Request for Information (RFI) to signal system vendors, completed hands-on review of two systems, and interviewed other governmental agencies currently utilizing these systems; and,
6. At the conclusion of this process it was determined that the FLIR 360 Surveillance system with PELCO Esprit cameras meet the City's operational requirements and future signal system needs; and
7. In order to provide consistent and efficient operations, it is in the public's best interest that the City's entire signal system needs to be operating with the same equipment; and
8. The procurement of other equipment would impede the City's ability to utilize the already-installed traffic equipment.
9. The acquisition of the above-itemized equipment, constitutes a "[p]urchase[]" that [is] clearly and legitimately limited to a single source of supply," and a "purchase[]" involving special facilities," justifying a waiver of competitive bidding as set forth and defined by RCW 39.04.280(1)(a) and RCW 39.04.280(1)(b) respectively. These grounds are independent for

waving competitive bidding requirements, such that if a court of competent jurisdiction invalidates this waiver on one ground, the City's decision would remain the same under the other.

Section 3. The City Manager or designee is authorized to develop written policies in conformity with RCW 39.04.280(2)(a) for subsequent waivers of public bidding requirements.

Section 4. Severability. If any sections, sentence, clause or phrase of this Resolution shall be held to be invalid or unconstitutional by a court of competent jurisdiction, or its application held inapplicable to any person, property or circumstance, such invalidity or unconstitutionality or inapplicability shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Resolution or its application to any other person, property or circumstance.

Section 5. This Resolution shall be in full force and effect upon passage and signatures hereon.

PASSED by the City Council this 21st day of April, 2014.

CITY OF LAKEWOOD

Don Anderson, Mayor

Attest:

Alice M. Bush, MMC, City Clerk

Approved as to Form:

Heidi A. Wachter City Attorney